

116TH CONGRESS
2D SESSION

S. _____

To establish a Bipartisan Advisory Committee to analyze the integrity and the administration of the 2020 general election for Federal office..

IN THE SENATE OF THE UNITED STATES

Mr. PERDUE (for himself and Mrs. LOEFFLER) introduced the following bill;
which was read twice and referred to the Committee on

A BILL

To establish a Bipartisan Advisory Committee to analyze the integrity and the administration of the 2020 general election for Federal office..

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Securing America’s
5 Future Elections and Votes Act” or the “SAFE Votes
6 Act”.

7 **SEC. 2. 2020 BIPARTISAN ADVISORY COMMITTEE.**

8 (a) ESTABLISHMENT.—There is established within
9 the Election Assistance Commission the 2020 Bipartisan

1 Advisory Committee (referred to in this section as the
2 “Advisory Committee”).

3 (b) MEMBERSHIP.—

4 (1) COMPOSITION.—The Advisory Committee
5 shall be composed of 18 members of whom—

6 (A) 9 shall be appointed by the majority
7 leader of the Senate (in consultation with the
8 minority leader of the House of Representa-
9 tives), 1 of which shall be appointed as a Co-
10 Chairperson of the Advisory Committee; and

11 (B) 9 shall be appointed by the Speaker of
12 the House of Representatives (in consultation
13 with the minority leader of the Senate), 1 of
14 which shall be appointed as a Co-Chairperson of
15 the Advisory Committee.

16 (2) REPRESENTATION.—Individuals appointed
17 to the Advisory Committee under paragraph (1)
18 shall be geographically balanced and shall include
19 representatives of Federal, State, and local govern-
20 ments and of the legal, cybersecurity, and election
21 administration and technology communities.

22 (3) DATE.—The appointments of the members
23 of the Advisory Committee shall be made not later
24 than 90 days after the date of enactment of this
25 Act.

1 (c) PERIOD OF APPOINTMENT; VACANCIES.—

2 (1) IN GENERAL.—Except as provided in para-
3 graph (2), a member of the Advisory shall be ap-
4 pointed for the duration of the Advisory Committee.

5 (2) REMOVAL.—A member may be removed
6 from the Advisory Committee at any time at the
7 upon concurrence of both of the Co-Chairpersons of
8 the Advisory Committee.

9 (3) VACANCIES.—A vacancy in the Advisory
10 Committee—

11 (A) shall not affect the powers of the Com-
12 mission; and

13 (B) shall be filled in the same manner as
14 the original appointment.

15 (d) DUTIES.—

16 (1) STUDY.—

17 (A) IN GENERAL.—The Advisory Com-
18 mittee shall, consistent with applicable law,
19 study the integrity and administration of the
20 general election for Federal office held in No-
21 vember 2020 and make recommendations to
22 Congress to improve the security, integrity, and
23 administration of Federal elections.

1 (B) MATTERS STUDIED.—The matters
2 studied by the Advisory Committee shall in-
3 clude—

4 (i) the effects of the COVID–19 pan-
5 demic on the administration of the general
6 election for Federal office held in Novem-
7 ber 2020;

8 (ii) the election practices adopted by
9 Federal, State, and local governments in
10 response to the COVID–19 pandemic, in-
11 cluding—

12 (I) practices that undermined the
13 security and integrity of the election;
14 and

15 (II) practices that strengthened
16 the security and integrity of the elec-
17 tion;

18 (iii) the laws, rules, policies, activities,
19 strategies, and practices regarding mail-in
20 ballots, absentee ballots, and vote-by-mail
21 procedures, including—

22 (I) measures that undermined
23 the security and integrity of the elec-
24 tion; and

1 (II) measures that strengthened
2 the security and integrity of the elec-
3 tion;

4 (iv) any laws, rules, policies, activities,
5 strategies, and practices that would have
6 allowed improper or fraudulent votes to be
7 cast in such election and the scope of any
8 improper and fraudulent votes that were
9 cast in the election; and

10 (v) any laws, rules, policies, activities,
11 strategies, and practices that would have
12 allowed improper or fraudulent voter reg-
13 istration and the scope of any improper or
14 fraudulent voter registration.

15 (2) REPORTS.—

16 (A) INITIAL REPORT.—Not later than 180
17 days after the date of the enactment of this
18 Act, the Advisory Committee shall submit to
19 the Election Assistance Commission and the ap-
20 propriate Congressional committees a report on
21 the matter studied under paragraph (1). Such
22 report shall include—

23 (i) precinct-by-precinct data high-
24 lighting the number and incidence of any

1 improper and fraudulent votes that were
2 cast in the election; and

3 (ii) precinct-by-precinct data high-
4 lighting the number and incidence of any
5 improper and fraudulent voter registra-
6 tions.

7 (B) RECOMMENDATIONS.—

8 (i) IN GENERAL.—Not later than 360
9 days after the date of the enactment of
10 this Act, the Advisory Committee shall
11 submit to the Election Assistance Commis-
12 sion and the appropriate Congressional
13 committees recommendations on the fol-
14 lowing:

15 (I) The best practices that should
16 be adopted by at each level of local,
17 State, and Federal government for ad-
18 ministering elections for Federal of-
19 fice—

20 (aa) during the COVID–19
21 pandemic; and

22 (bb) during other national
23 emergencies;

24 (II) The best practices that
25 should be adopted at each level of

1 local, State, and Federal government
2 to mitigate fraud and increase the in-
3 tegrity and security of mail-in ballots,
4 absentee ballots, and vote-by-mail pro-
5 cedures;

6 (III) The best practices that
7 should be adopted at each level of
8 local, State, and Federal government
9 to prevent improper or fraudulent
10 votes from being cast; and

11 (IV) The best practices that
12 should be adopted at each level of
13 local, State, and Federal government
14 to prevent improper voters from being
15 registered.

16 (ii) MINORITY VIEWS.—In the case of
17 any recommendation with respect to which
18 one-third or more of the Committee does
19 not concur, the report shall include a jus-
20 tification for why such members do not
21 concur.

22 (C) APPROPRIATE CONGRESSIONAL COM-
23 MITTEES.—For purposes of this paragraph, the
24 term “appropriate Congressional Committees”
25 means—

1 (i) the Committee on Rules and Ad-
2 ministration of the Senate;

3 (ii) the Committee on the Judiciary of
4 the Senate;

5 (iii) the Committee on House Admin-
6 istration of the House of Representatives;
7 and

8 (iv) the Committee on the Judiciary of
9 the House of Representatives.

10 (e) COMMISSION PERSONNEL MATTERS.—

11 (1) PROHIBITION ON COMPENSATION OF MEM-
12 BERS.—The members of the Advisory Committee
13 may not receive pay or benefits from the United
14 States Government by reason of their service on the
15 Advisory Committee.

16 (2) STAFF.—

17 (A) IN GENERAL.—Each Co-Chairperson
18 of the Advisory Committee may appoint not
19 more than 5 subject matter experts to serve as
20 staff to the Advisory Committee.

21 (B) COMPENSATION.—The Co-Chair-
22 persons of the Advisory Committee may fix the
23 compensation of the staff of the Advisor Com-
24 mittee without regard to chapter 51 and sub-
25 chapter III of chapter 53 of title 5, United

1 States Code, relating to classification of posi-
2 tions and General Schedule pay rates, except
3 that the rate of pay for the staff may not ex-
4 ceed the rate payable for level V of the Execu-
5 tive Schedule under section 5316 of that title.

6 (f) TERMINATION.—The Advisory Committee shall
7 terminate 90 days after the date on which the Advisory
8 Committee submits the report required under subsection
9 (d).

10 (g) NONAPPLICABILITY OF FACA.—The Federal Ad-
11 visory Committee Act (5 U.S.C. App.) shall not apply to
12 the Advisory Committee.